

Attorney Docket No: 6750-0005.21
IMATX File: IT01-U03.US3

PATENT

DECLARATION AND POWER TO PROSECUTE

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PATIENT SELECTABLE JOINT ARTHROPLASTY DEVICES AND SURGICAL TOOLS
FACILITATING INCREASED ACCURACY, SPEED AND SIMPLICITY IN PERFORMING
TOTAL AND PARTIAL JOINT ARTHROPLASTY

the specification of which:

(check one)

☐ is attached hereto;

☒ was filed as United States Application Serial No. 10/724,010 on November 25, 2003, and was amended on _____ (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>Application Number(s)</u>	<u>Filing Date(s)</u> (day/month/year)	<u>Priority Claimed</u>
60/293,488	25 May 2001	Yes
60/363,527	12 March 2002	Yes
60/380,695	14 May 2002	Yes
60/380,692	14 May 2002	Yes

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) and (b) set forth above which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application No.</u>	<u>Date of Filing (day/month/year)</u>	<u>Priority Claimed</u>
10/305,652	27 November 2002	Yes
10/160,667	28 May 2002	Yes

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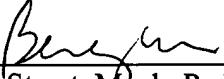
As a named inventor, I hereby appoint the registered practitioners of the Customer Number provided below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; I further direct that correspondence concerning this application be directed to:

Imaging Therapeutics, Inc. c/o
Robins & Pasternak
1731 Embarcadero Road, Suite 230
Palo Alto CA 94304
Tel: 650.493.3400
Fax: 650.493.3440

CUSTOMER NUMBER: **36806**

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Full name of first inventor: **Aaron BEREZ**

Inventor's signature  Date 12 JUNE 2004
Residence: 1485 Laurel Street, Menlo Park, California 94025
Citizen of: United States
Post Office Address: (same as above)

Full name of second inventor: **Wolfgang FITZ**

Inventor's signature _____ Date _____
Residence: 2 Joshua Path, Natick, Massachusetts 01760
Citizen of: Germany
Post Office Address: (same as above)

Full name of third inventor: **Philipp LANG**

Inventor's signature _____ Date _____
Residence: 7 Fair Oaks Terrace, Lexington, Massachusetts 02421
Citizen of: Germany
Post Office Address: (same as above)

Full name of fourth inventor: Daniel STEINES

Inventor's signature _____ Date _____
Residence: 3619 Park Boulevard, Palo Alto, California 94306
Citizen of: Germany
Post Office Address: (same as above)

Full name of fifth inventor: Konstantinos TSOUGARAKIS

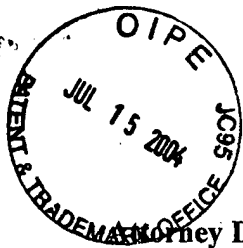
Inventor's signature _____ Date _____
Residence: 950 High School Way, #3219, Mountain View, California 94041
Citizen of: Greece
Post Office Address: (same as above)

Full name of sixth inventor: Rene VARGAS-VORACEK

Inventor's signature _____ Date _____
Residence: 124 Piedra Drive, Sunnyvale, California 94086
Citizen of: Bolivia
Post Office Address: (same as above)

Full name of seventh inventor: Cecily Anne SNYDER

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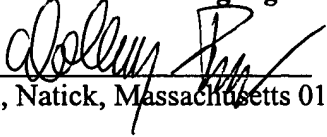
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Inventor's signature _____ Date _____
Residence: 1485 Laurel Street, Menlo Park, California 94025
Citizen of: United States
Post Office Address: (same as above)

Full name of second inventor: **Wolfgang FITZ**

Inventor's signature  Date 4/29/9
Residence: 2 Joshua Path, Natick, Massachusetts 01760
Citizen of: Germany
Post Office Address: (same as above)

Full name of third inventor: **Philipp LANG**

Inventor's signature _____ Date _____
Residence: 7 Fair Oaks Terrace, Lexington, Massachusetts 02421
Citizen of: Germany
Post Office Address: (same as above)

Full name of fourth inventor: Daniel STEINES

Inventor's signature _____ Date _____
Residence: 3619 Park Boulevard, Palo Alto, California 94306
Citizen of: Germany
Post Office Address: (same as above)

Full name of fifth inventor: Konstantinos TSOUGARAKIS

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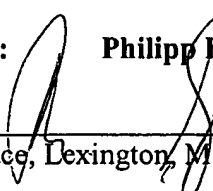
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Inventor's signature  _____ Date 3/16/04
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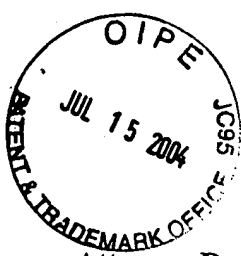
Inventor's signature _____ Date _____
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Full name of sixth inventor: Rene VARGAS-VORACEK

Inventor's signature _____ Date _____
Residence: 124 Piedra Drive, Sunnyvale, California 94086
Citizen of: Bolivia
Post Office Address: (same as above)

Full name of seventh inventor: Cecily Anne SNYDER

Inventor's signature _____ Date _____
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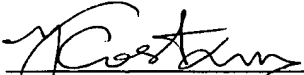
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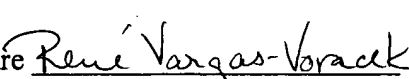
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